

REMARKS

The Examiner has rejected claims 12-21 under section 102 based on Teder (5,828,659). The Examiner contends that, for example in claims 12 and 17, “*communicating said downlink data frame offset information to said mobile station*” is recited in the Teder, while referencing col. 14, lines 32-36, which recites: “*transmitting said communication signal that is to be sent from said first base station and said communication signal that is to be sent from at least one neighboring base station over said first and second call links respectively*.”

Applicants have made a telephone interview with the Examiner on March 09, 2005, to discuss the claims rejection and particularly the cited reference. Teder does not show or suggest communicating the downlink time offset to the mobile station. Examiner contends that such a feature is shown in Figure 5 of the reference and described on col. 10, lines 40-45. Figure 5 does not show any communication of the time offset information from the base station to the mobile station, nor the cited description. The reference discusses communicating the delay offsets between RNC and BS1 and BS2, in order to allow the base station to transmit at certain calculated delays, but such a delay information is not communicated to the mobile station. The mobile station in accordance with the teaching of the reference is “lost” with respect to the actual delays used by the base stations. The delays used by the base stations are unknown to the mobile station. In contrast, for example, claim 12 and 17 include “*communicating said downlink data frame offset information to said mobile station*”. This step is not taken by the reference, nor does it suggest performing such a step.

Therefore, Applicants maintain that the claims 12 and 17 are novel and new over the cited art and request reconsideration of the claims and allowance of the same. Since all other claims are dependent on claims 12 and 17, all other claims are also allowable.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicant submits that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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